

City of Lee's Summit

Department of Planning & Development

June 6, 2003

TO: Planning Commission
FROM: Robert G. McKay, AICP, Director
RE: **PUBLIC HEARING – Appl. #2003-077 – PRELIMINARY DEVELOPMENT PLAN and Appl. #2003-098 – SPECIAL USE PERMIT for car sales - 1001 SE Oldham Parkway, Lee's Summit Imports; Lee's Summit Imports, Inc., applicant**

Commentary

The applicant proposes to develop a 4 acre parcel located at 1001 SE Oldham Parkway for an auto sales facility of approximately 17,700 sq. ft. The site is Lot 1 of Van Duss Business Park adjacent to Lot 2 which was recently approved for a truck and jeep dealership. The applicant is in agreement with the operational requirements. The applicant proposes a buffer screen along the south property line adjacent to existing residences that includes a 7 foot high earth berm with an 8 foot high wood fence with masonry piers located on the berm. Deciduous and evergreen trees are proposed on both sides of the fence. The free standing light fixtures along the south edge of the rear parking area will not exceed the height of the buffer screen (15 ft.). A modification of the UDO is necessary to allow for the auto display area to be located 10 feet from the front property line similar to the adjacent two dealerships located to the east. Staff is not in support of a second modification to the UDO that would permit five spike lighting fixtures to be located along the front portion of the auto display area. These fixture incorporate a light source on each side of the light pole (28 ft. high) covered by a clear prismatic acrylic lens. This light source would be similar to flood lighting that is not allowed under the operational requirements of the special use permit.

- 0.10 floor area ratio (FAR) – 0.55 maximum permitted
- 75% impervious coverage – 80% maximum permitted
- 25% open space – 20% minimum required

Recommendation

Staff recommends **APPROVAL** of the preliminary development plan, subject to the following:

1. A special use permit shall be valid for a period of twenty (20) years from the date of passage of the ordinance.
2. Operational Requirements shall include the following:
 - a) No outside paging or loudspeaker system shall be used on the site.
 - b) Overhead doors shall not be located on the south elevations of the building.
 - c) No floodlights shall be used to illuminate the site.
 - d) No body shop shall be located on the premises.
3. A modification of the UDO shall be granted to allow a 10 ft. front yard parking setback.
4. Exterior lighting shall meet the requirements of the UDO.
5. All development shall be in accordance with the preliminary development plan and building elevations dated May 20, 2003 subject to the conditions herein.

6. Three wall signs and two monument signs shall be approved for this development.

Project Information

Proposed Use: Auto Sales

Land Area: 174,240 sq. ft. or 4 acres

Building Area: 17,714 sq. ft.

Location: 1001 SE Oldham Parkway (Van Duss Business Park, Lot 1)

Zoning: CP-2 Planned Community Commercial District

Surrounding zoning and use:

North (across US 50 Hwy): RP-3 – Vista Del Verde Plat 11 – four-plexes

South: RP-2 - Hawks Ridge East 1st Plat – single family dwellings and clubhouse/pool

East: CP-2 - vacant land (approved for Jay Wolfe truck and jeep dealership)

West: CP-2 – vacant land

Background

- December 13, 2000 – The minor plat, Van Duss Business Park, lots 1 thru 3, was recorded with Jackson County.
- November 16, 2000 – The City Council passed Ordinance #5066 granting a Special Use Permit to operate car sales on lot 3.
- April 17, 2003 – The City Council passed Ordinance #5516 granting a Special Use Permit to operate car sales on lot 2.

Analysis of the Special Use Permit

Ordinance Requirement. Under the Unified Development Ordinance (UDO), a special use permit is required to operate outdoor sales or leasing of vehicles in a CP-2 District.

Comprehensive Plan. The Land Use Map of the Comprehensive Plan designates this property and adjacent properties fronting along the south side of 50 Highway as retail. The proposed retail commercial development is consistent with the Comprehensive Plan.

Time Period. The applicant has requested a 20 year time period. The adjacent auto sales facility received a 20 year time period effective to April 17, 2023.

Proposed Operations. The applicant is in agreement with the following operational specifications:

- No outside paging or loudspeaker system will be used on the site.
- Overhead doors are not to be located on the south elevations of the building.
- No floodlights will be used to illuminate the site.
- No body shop will be located on the premises.

Analysis of the Preliminary Development Plan

Parking Setback. Modification necessary

- Required – 20 ft. front yard parking setback

- Proposed – 10 ft. front yard parking setback
- Recommendation – Staff supports a modification of the UDO to allow a 10 foot yard parking setback and continue the parking lot alignment established by the two dealerships to the east.

Buffer Screen Standards. Revision necessary

- Required – Buffer screen mechanism to provide an adequate buffer between the proposed use and the existing residences to the south.
- Proposed – Eastern White Pine species (30 ft spread) are proposed within a 12 feet wide space between the property line and the proposed screen wall.
- Recommendation – Staff recommends an appropriate number of evergreen species with a spread that will fit in the allocated space yet provide adequate screening such as an appropriate cultivar of the Chinese Juniper specie.

Signage. Approval necessary.

- Required – As approved by the Planning Commission
- Proposed –3 wall signs and 2 monument signs
- Recommendation – Staff recommends approval of the 5 proposed signs.

Lighting. Modification necessary.

- Required – The light source shall be shielded so it will not be seen from neighboring properties.
- Proposed – Five spike light poles (28 ft. in height) are proposed along the front parking area. A light source is located internally on each side of the light pole from base to top. A clear prismatic acrylic lens is located on each side of the tube steel, therefore the light source casts light directly on the site in a similar manner as flood lighting that is not allowed under the operational requirements of the special use permit.
- Recommendation – **Staff does not recommend approval of the modification of the UDO to allow spike lighting.** This light source is not shielded per UDO requirements.

Code and Ordinance Requirements to be Met Following Approval

Public Works

1. All engineering plans, including water, sanitary sewers, storm drainage, and streets, must be submitted and approved prior to issuance of any building permits.

Planning and Development

2. All exterior mechanical equipment, whether roof mounted or ground mounted, shall be screened from view from off the property. The appearance of screens shall be coordinated with the building to maintain a unified appearance.
3. Accessible parking signs shall meet the requirements set forth in **the Manual on Uniform Traffic Devices (R7-8)**. Each accessible stall shall be identified by a sign, mounted on a pole or other structure between 3 feet and 5 feet above the parking surface, at the head of the parking stall.

4. Sign permits shall be obtained prior to installation of any signs through the Department of Planning and Development. All signs proposed must comply with the sign requirements as outlined in the sign section of the UDO.
5. A landscape plan shall be approved including the appropriate type and number of species.

RGM/mjg/lt

Attachments:

1. Attachment A – Issues, Impacts and Analysis
2. Preliminary Development Plan
3. Location Map

ATTACHMENT “A”

ISSUES, IMPACTS & ANALYSIS

This application is for a Special Use Permit and a Preliminary Development Plan for car sales in the CP-2 district. Car sales may be permitted in the CP-2 district as a Special Use. The applicant proposes to develop a 4 acre parcel located at 1001 SE Oldham Parkway to include a 17,700 sq. ft. facility to include a parking area, containing 274 spaces, surrounding the building.

ISSUE: What standards should be considered and applied to approval of special use permits?

Section 10.030 of the UDO provides for standards of approval including a list of criteria that may be considered in granting a special use permit to the extent they are pertinent to the particular application.

In considering any application for a special use permit, the Commission and Governing Body may give consideration to the criteria listed below, to the extent they are pertinent to the particular application.

1. Character of the neighborhood
2. Compatibility with adjacent property uses and zoning
3. Suitability of the property for which the special use is being requested
4. Extent to which the proposed use will negatively impact the aesthetics of the property and adjoining properties
5. Extent to which the proposed use will injure the appropriate use of, or detrimentally affect , neighboring property
6. Impact on the street system to handle traffic and/or parking
7. Impact of additional storm water runoff to the existing system or to the water shed area if no storm sewer is available
8. Impact of noise pollution or other environmental harm
9. Potential negative impact on neighborhood property values
10. Extent to which there is need of the proposed use in the community
11. Economic impact upon the community
12. Extent to which public facilities and services are available and adequate to satisfy the demand generated by the proposed use
13. Comparison of the benefit gained to the public health, safety and welfare of the community if approved versus the hardship imposed upon the landowner if the requested application is denied
14. Conformance to the Master Development Plan, current city policies and ordinances
15. Recommendation of professional staff
16. Consistency with permitted uses in the area in which the special use is sought.

IMPACTS

Similar impacts are associated with this development as were present when Jay Wolfe Dodge and Jay Wolfe Jeep and Truck developed the two lots to the east for car and truck sales.

- Lighting
- Screening from adjoining residential use
- Garage doors facing the adjoining neighborhood

The conditions placed on this application are intended to mitigate the negative impacts. The operational requirements of this Special Use Permit prevent noise and light transmission beyond the site relating to public address systems, body work within the building, open doors facing the residential properties to the south and flood lights on site.

Staff is recommending similar lighting as currently exists on the two properties to the east. A modification to allow "spike" lighting along the front of the lot is not recommended for approval. The parking lot lighting will be 15 feet in height along the rear parking area. Other lighting on the main parking area will be 23 feet in height and a row of free standing light fixtures along the front property line will be 28 feet in height. All lighting meets the height standards of the UDO.

The screening along the south property line is similar to that placed at the rear of the adjoining facilities, and will consist of a 7 foot high earth berm and an 8 foot high opaque wood fence with masonry piers.

TRAFFIC

Traffic is served by a frontage road, Oldham Parkway, which was constructed to handle the anticipated commercial trips. The frontage road has access to both Ranson Road and Hamblen Road which provide access to 50 Highway.

ANALYSIS

Staff finds that the use is appropriate on the requested parcel in light of the specific conditions being met within the CP-2 zoning district and the specific use that shall be governed by conditions as generally addressed above. This development is compatible with the other two car dealerships approved to the east of this site along the south side of Missouri 50 Highway.